

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

MICHELLE MORGAN, individually and  
on behalf of all other similarly situated,

Plaintiff,

v.

ESSILORLUXOTTICA S.A.; LUXOTTICA  
GROUP S.P.A.; ESSILOR  
INTERNATIONAL SAS;  
ESSILORLUXOTTICA USA INC.;  
LUXOTTICA U.S. HOLDINGS CORP.;  
ESSILOR OF AMERICA HOLDING  
COMPANY, INC.; LUXOTTICA OF  
AMERICA, INC.; ESSILOR OF AMERICA  
INC.; EYEMED VISION CARE, LLC;  
AND VISION SOURCE, LLC,

Case No. 0:23-cv-03065-KMM-JFD

Defendants.

**ORDER REGARDING: (1) SERVICE OF NON-U.S. DEFENDANTS; (2)  
RESPONSE DEADLINE; (3) STAY OF DISCOVERY; (4) RULE 26(f)  
CONFERENCE; AND (5) CERTIFIED TRANSLATION OF COMPLAINT**

This matter comes before the Court on the Parties' Stipulation Regarding: (1) Service of Non-U.S. Defendants; (2) Response Deadline; (3) Stay of Discovery; (4) Rule 26(f) Conference; and (5) Certified Translation of Complaints. The Court has reviewed the Stipulation and finds that it sets forth good cause for the requested relief.

**IT IS HEREBY ORDERED:**

1. Non-Served Defendants have two weeks from the date of entry of this Order to return executed waivers of service of the Complaint and summonses to Plaintiff;
2. Defendants shall respond to any single, consolidated complaint 75 days after such complaint is filed (if any, and in whichever forum is eventually selected for the litigation);
3. Discovery shall be stayed until the Defendants answer any single, consolidated complaint (the “Discovery Stay”). This Discovery Stay is subject to the following exceptions only:
  - (i) The parties shall negotiate a protective order;
  - (ii) The parties shall negotiate an ESI protocol;
  - (iii) The parties shall negotiate a deposition protocol;
  - (iv) The parties shall negotiate an expert stipulation;
  - (v) The parties shall negotiate a case schedule, with all deadlines to be timed off a decision on the motion(s) to dismiss; and
  - (vi) If any defendant challenges personal jurisdiction in a motion to dismiss, the parties shall meet and confer regarding whether and to what extent jurisdictional discovery may be appropriate. If the parties disagree regarding jurisdictional discovery, nothing in this Stipulation prevents Plaintiffs from moving the Court to permit it.

4. The parties shall conduct a Rule 26(f) conference after Defendants answer any single, consolidated complaint, and no later than seven (7) business days after the answers are filed.
5. Plaintiff shall provide the Non-Served Defendants with a certified translation of any single, consolidated complaint in both Italian and French, no later than 45 days after any such complaint is filed.

Dated: February 6, 2024

*s/ John F. Docherty*  
JOHN F. DOCHERTY  
United States Magistrate Judge